

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

GUNAPT DEVELOPMENT, L.L.C., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No. 4:20-cv-1778-MTS
	)	
PEINE LAKES, L.P., <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

Before the Court is Defendants’ Motion for Reconsideration, Doc. [104], on the Court’s November 16, 2022, Memorandum and Order, Doc. [103], where the Court granted in part and denied in part Defendants’ Motion for Summary Judgment.

Upon review of the Motion for Reconsideration, the Court denies in part and grants in part the Motion and orders the following. The Court now opens discovery for a forty-five day period, to conclude on January 16, 2023, as to any factual disputes and/or legal issues as discussed in the Court’s November 16, 2022, Memorandum and Order. Also, the parties shall have until February 20, 2023, to file any additional Motions for Summary Judgment on any *remaining* issues. The opposing party shall have until March 6, 2023, to file a Response Brief, with any Reply Brief submitted by March 13, 2023. The jury trial in this matter will be reset for April 17, 2023, at 9:00 a.m. Finally, Defendant Alden Torch is dismissed from the action consistent with the Court’s November 16, 2022, Memorandum and Order, Doc. [103].

Accordingly,

**IT IS HEREBY ORDERED** that Defendants’ Motion for Reconsideration, Doc. [104], is **DENIED in part** and **GRANTED in part** consistent with this Memorandum and Order.

**IT IS FURTHER ORDERED** that discovery is reopened in this case and shall close on

January 16, 2023.

**IT IS FURTHER ORDERED** that any Motion for Summary Judgment shall be due no later than by February 20, 2023, with a briefing schedule as stated in this Order.

**IT IS FURTHER ORDERED** that Defendant Alden Torch is **DISMISSED** from the action consistent with the Court's November 16, 2022, Memorandum and Order, Doc. [103]. The Clerk of Court is directed to note his termination from the case.

**IT IS FINALLY ORDERED** that jury **trial** set for **March 13, 2023**, is now **RESET** for **JURY** trial on **Monday, April 17, 2023**, at **9:00 a.m.** in Courtroom 14-South.

Dated this 30th day of November, 2022.

A handwritten signature in black ink, appearing to read 'Matthew T. Schelp', written over a horizontal line.

MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE